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August 21, 2006

Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

RE: FD No. 34893, The Chicago, Lake Shore & South Bend Railway Company--Acquisition and Operation Exemption--Norfolk Southern Railway Company

Dear Secretary Williams:

This letter is written on behalf of the Brothers of Holy Cross, Inc. ("BOHC") and the Sisters of the Holy Cross, Inc. ("Sisters"). A review of the Board's website has revealed that the American Short Line and Regional Railroad Association ("ASLRRA") recently filed a letter with the Board, dated August 14, 2006, indicating that it desires to intervene in the above-referenced proceeding and simultaneously requests an extension of time in which to file. Although ASLRRA claims that there are "significant policy questions for the growth of the American freight rail system" that need to be considered, it did not provide any details. It is respectfully submitted that given the lack of any known need for any renewed freight service, ASLRRA can add nothing to the debate.

At issue herein are lines of railroad that the Norfolk Southern Railway Company ("Norfolk Southern") has not operated for over a decade. Given the undeniable fact that the lines have been cut and paved over at several places, the line has been de facto abandoned. More importantly, there are no existing shippers on the line. In fact, the sole entity that might have used rail freight service, the University of Notre Dame, has announced that it will not use the line to receive coal. Therefore, there is no need for current or future rail freight service over the lines.

In addition, the Board is well aware that the potential reinstatement of rail service through their campuses has been opposed by the Sisters and BOHC. Also, the City of South Bend has expressed its strong opposition to the resumption of rail freight service over the line. Unlike the vague allegations posed by ASLRRA, the interests of the foregoing entities have been set forth in detail in their pleadings. At a minimum, the transaction is very controversial.

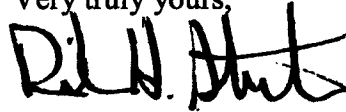
In any event, the proceeding is moot. As the Board's records reflect, Norfolk Southern has advised the Board that it will not sell the line to the Chicago, Lake Shore & South Bend Railway Company. There is no indication that Norfolk Southern intends to alter its decision.

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Plainly, ASLRRRA's belated participation will serve no legitimate purpose. Therefore, the Board is urged to deny the requests posed in ASLRRRA's August 14, 2006 letter.

Last, the proceeding should be summarily dismissed. There is nothing to be gained by further prolonging the controversy.

Very truly yours,

A handwritten signature in black ink, appearing to read "R.H. Streeter", written over a horizontal line.

Richard H. Streeter  
Counsel to the Brothers of Holy Cross, Inc.  
and The Sisters of the Holy Cross, Inc.

RHS:rs  
cc: All parties of record

# Certificate of Service

I, Richard H. Streeter, do hereby certify that a true copy of the foregoing reply was served this 21st day of August, 2006, by first-class mail, postage prepaid, or by e-mail or fax as designated, on the following named individuals:

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